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**From:** Warner, Suzanne  
**Sent:** Tuesday, March 07, 2017 12:49 PM  
**To:** Kopf, Jeff; Murphy, Thelma (Hamilton)  
**Subject:** RE: Request for SWPPP of Arboretum Village in Worcester, MA

Jeff,

Their consultant who provided the unsigned SWPPP and who was working on getting a signed copy is Scott Morrison ([smorrison@ecotecinc.com](mailto:smorrison@ecotecinc.com); 508-752-9666 x 27)

The site operator contact is Steven Gallo ([sgallo@gallobuilders.com](mailto:sgallo@gallobuilders.com); 508-829-0676)

Here's a link to the project information

[https://ofmpub.epa.gov/apex/aps/f?p=124:4:::NO::P4\\_PERMIT\\_ID,P4\\_PERMIT\\_TYPE:2727,NOI](https://ofmpub.epa.gov/apex/aps/f?p=124:4:::NO::P4_PERMIT_ID,P4_PERMIT_TYPE:2727,NOI)

Thank you for following up.

Suzanne Warner  
617.918.1383

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**From:** Jamie Vander Salm [mailto:[vandersalm@mvsllp.com](mailto:vandersalm@mvsllp.com)]  
**Sent:** Tuesday, March 07, 2017 12:25 PM  
**To:** Kopf, Jeff <[Kopf.Jeff@epa.gov](mailto:Kopf.Jeff@epa.gov)>; Warner, Suzanne <[Warner.Suzanne@epa.gov](mailto:Warner.Suzanne@epa.gov)>; Murphy, Thelma (Hamilton) <[murphy.thelma@epa.gov](mailto:murphy.thelma@epa.gov)>  
**Subject:** Re: Request for SWPPP of Arboretum Village in Worcester, MA [WARNING: DKIM validation failed] [WARNING: DKIM validation failed]

All,

I believe it has now been 4 weeks since Suzanne asked for their signed SWPPP. They are violating the CWA by not providing this. See 2012 CGP and 2017 CGP, Standard Permit Condition I.8 (permittees "must [] furnish to EPA [] upon request, copies of records required to be kept by this permit.").

What is EPA going to do about this?

Thank you,

James P. Vander Salm | Attorney at Law  
Murphy & Vander Salm LLP  
One Mercantile Street, Suite 740  
Worcester, MA 01608  
Office: 508.762.4570  
Cell: 774.239.3339

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**From:** Jamie Vander Salm  
**Sent:** Monday, February 27, 2017 4:38:28 PM  
**To:** Kopf, Jeff; Warner, Suzanne; Murphy, Thelma (Hamilton)  
**Subject:** Re: Request for SWPPP of Arboretum Village in Worcester, MA [WARNING: DKIM validation failed]

Thank you, Jeff -- I appreciate your response.

James P. Vander Salm | Attorney at Law  
Murphy & Vander Salm LLP  
One Mercantile Street, Suite 740  
Worcester, MA 01608  
Office: 508.762.4570  
Cell: 774.239.3339

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**From:** Kopf, Jeff <[Kopf.Jeff@epa.gov](mailto:Kopf.Jeff@epa.gov)>  
**Sent:** Monday, February 27, 2017 12:37:21 PM  
**To:** Jamie Vander Salm; Warner, Suzanne; Murphy, Thelma (Hamilton)  
**Subject:** RE: Request for SWPPP of Arboretum Village in Worcester, MA [WARNING: DKIM validation failed]

Mr. Vander Salm,

It is my understanding that EPA has been in touch with the operator who said he would get us the signed signature page which is at the site, last week. Because we did not receive it, we have followed up with him and are awaiting a response. If I get any further information regarding the status of us receiving the signature page I'll let you know. We'll provide you a copy when we receive it.

Jeff Kopf, Senior Enforcement Counsel  
US EPA Region 1  
5 Post Office Square  
Suite 100 (OES04-4)  
Boston, MA 02109-3912  
Tel: (617) 918-1796  
Fax: (617) 918-0796  
[kopf.jeff@epa.gov](mailto:kopf.jeff@epa.gov)

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**From:** Jamie Vander Salm [<mailto:vandersalm@mvsllp.com>]  
**Sent:** Monday, February 27, 2017 11:33 AM  
**To:** Warner, Suzanne <[Warner.Suzanne@epa.gov](mailto:Warner.Suzanne@epa.gov)>; Murphy, Thelma (Hamilton) <[murphy.thelma@epa.gov](mailto:murphy.thelma@epa.gov)>; Kopf, Jeff <[Kopf.Jeff@epa.gov](mailto:Kopf.Jeff@epa.gov)>  
**Subject:** Fw: Request for SWPPP of Arboretum Village in Worcester, MA [WARNING: DKIM validation failed]

Hello, Suzanne --

Following up on my below email, have you been provided with their signed SWPPP? If not, I ask that EPA's counsel assist in procuring it.

Thank you,

James P. Vander Salm | Attorney at Law  
Murphy & Vander Salm LLP  
One Mercantile Street, Suite 740  
Worcester, MA 01608  
Office: 508.762.4570  
Cell: 774.239.3339

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**From:** Jamie Vander Salm  
**Sent:** Wednesday, February 22, 2017 12:41 PM  
**To:** Warner, Suzanne  
**Cc:** Kopf, Jeff; [murphy.thelma@epa.gov](mailto:murphy.thelma@epa.gov)  
**Subject:** Fw: Request for SWPPP of Arboretum Village in Worcester, MA

Hello, Suzanne --

This is to follow up on our phone conversation today. As I mentioned, I fail to understand why this facility has still not provided a signed SWPPP, as I believe you requested approximately two weeks ago. To be clear, the signature on the SWPPP is important because it commits the signatory to taking responsibility for compliance. It is a CWA violation not to sign the SWPPP.

My understanding from our phone call is that you will email the listed owner and ask him when this week he will provide you with the signed SWPPP.

Thank you,

James P. Vander Salm | Attorney at Law  
Murphy & Vander Salm LLP  
One Mercantile Street, Suite 740  
Worcester, MA 01608  
Office: 508.762.4570  
Cell: 774.239.3339

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**From:** Jamie Vander Salm  
**Sent:** Wednesday, February 15, 2017 11:45 AM  
**To:** Warner, Suzanne; [murphy.thelma@epa.gov](mailto:murphy.thelma@epa.gov)  
**Cc:** [kopf.jeff@epa.gov](mailto:kopf.jeff@epa.gov)  
**Subject:** Fw: Request for SWPPP of Arboretum Village in Worcester, MA

Hello again, Suzanne --

Just checking in on this -- is there some reason why they have not produced the signed SWPPP?

Thanks again for your time,

James P. Vander Salm | Attorney at Law  
Murphy & Vander Salm LLP  
One Mercantile Street, Suite 740  
Worcester, MA 01608  
Office: 508.762.4570  
Cell: 774.239.3339

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**From:** Jamie Vander Salm  
**Sent:** Thursday, February 9, 2017 9:08 AM  
**To:** Warner, Suzanne; [murphy.thelma@epa.gov](mailto:murphy.thelma@epa.gov)  
**Subject:** Fw: Request for SWPPP of Arboretum Village in Worcester, MA

Hello, Suzanne --

I am following up on my below email. Have you requested their signed SWPPP?

Thank you,

James P. Vander Salm | Attorney at Law  
Murphy & Vander Salm LLP  
One Mercantile Street, Suite 740  
Worcester, MA 01608  
Office: 508.762.4570  
Cell: 774.239.3339

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**From:** Jamie Vander Salm  
**Sent:** Tuesday, February 7, 2017 9:37 AM  
**To:** Warner, Suzanne; Murphy, Thelma (Hamilton)  
**Subject:** Re: Request for SWPPP of Arboretum Village in Worcester, MA

Hello, Suzanne --

This SWPPP is not signed (Section 6.0, p.25). Could you have them produce a signed copy?

Thank you,

James P. Vander Salm | Attorney at Law  
Murphy & Vander Salm LLP  
One Mercantile Street, Suite 740  
Worcester, MA 01608  
Office: 508.762.4570  
Cell: 774.239.3339

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**From:** Jamie Vander Salm  
**Sent:** Monday, February 6, 2017 2:55:50 PM  
**To:** Warner, Suzanne; Murphy, Thelma (Hamilton)  
**Subject:** Re: Request for SWPPP of Arboretum Village in Worcester, MA

Thank you very much, Suzanne.

James P. Vander Salm | Attorney at Law  
Murphy & Vander Salm LLP  
One Mercantile Street, Suite 740  
Worcester, MA 01608  
Office: 508.762.4570  
Cell: 774.239.3339

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**From:** Warner, Suzanne <[Warner.Suzanne@epa.gov](mailto:Warner.Suzanne@epa.gov)>  
**Sent:** Monday, February 6, 2017 12:10:40 PM  
**To:** Jamie Vander Salm; Murphy, Thelma (Hamilton)  
**Subject:** RE: Request for SWPPP of Arboretum Village in Worcester, MA

James,

Attached please find the SWPPP provided by the project operator for the Arboretum Village development under tracking no. MAR12A693 for the CGP.

Please let me know if you have any questions or concerns related to the project.

Thank you,

Suzanne Warner  
EPA Region 1  
5 Post Office Square, Suite 100 OEP 06-4  
Boston, MA 02109-3912  
617.918.1383  
[warner.suzanne@epa.gov](mailto:warner.suzanne@epa.gov)

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**From:** Jamie Vander Salm [<mailto:vandersalm@mvsllp.com>]  
**Sent:** Thursday, February 02, 2017 4:26 PM  
**To:** Warner, Suzanne <[Warner.Suzanne@epa.gov](mailto:Warner.Suzanne@epa.gov)>; Murphy, Thelma (Hamilton) <[murphy.thelma@epa.gov](mailto:murphy.thelma@epa.gov)>  
**Subject:** Re: Request for SWPPP of Arboretum Village in Worcester, MA [WARNING: DKIM validation failed]

Thank you, Ms. Warner -- I very much appreciate your time and your prompt response.

James P. Vander Salm | Attorney at Law  
Murphy & Vander Salm LLP  
One Mercantile Street, Suite 740  
Worcester, MA 01608  
Office: 508.762.4570  
Cell: 774.239.3339

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**From:** Warner, Suzanne <[Warner.Suzanne@epa.gov](mailto:Warner.Suzanne@epa.gov)>  
**Sent:** Thursday, February 2, 2017 4:25:08 PM  
**To:** Jamie Vander Salm; Murphy, Thelma (Hamilton)  
**Subject:** RE: Request for SWPPP of Arboretum Village in Worcester, MA

James,

I have reached out to the project operator to obtain a copy of the SWPPP for the project. I will follow up with you in a week (Feb 9<sup>th</sup>) or when I have the SWPPP, whichever occurs first.

Thank you,

Suzanne Warner  
EPA Region 1  
5 Post Office Square, Suite 100 OEP 06-4  
Boston, MA 02109-3912  
617.918.1383  
[warner.suzanne@epa.gov](mailto:warner.suzanne@epa.gov)

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**From:** Jamie Vander Salm [<mailto:vandersalm@mvsllp.com>]  
**Sent:** Thursday, February 02, 2017 10:46 AM  
**To:** Murphy, Thelma (Hamilton) <[murphy.thelma@epa.gov](mailto:murphy.thelma@epa.gov)>; Warner, Suzanne <[Warner.Suzanne@epa.gov](mailto:Warner.Suzanne@epa.gov)>  
**Cc:** Jamie Vander Salm <[vandersalm@mvsllp.com](mailto:vandersalm@mvsllp.com)>  
**Subject:** Request for SWPPP of Arboretum Village in Worcester, MA

Ms. Murphy and Ms. Warner,

This is to follow up on my phone messages to you both a moment ago. Pursuant to Part 7.3 of the 2012 Construction General Permit, I am writing to request that EPA obtain and provide for me the Stormwater Pollution Prevention Plan (SWPPP) of a site called "Arboretum Village," in Worcester, MA. The permit number for the site is MAR12A693.

Please reply to confirm receipt of this email, and to inform me regarding the process by which you will obtain the requested SWPPP.

Thank you for your time,

James P. Vander Salm | Attorney at Law  
Murphy & Vander Salm LLP  
One Mercantile Street, Suite 740  
Worcester, MA 01608  
Office: 508.762.4570  
Cell: 774.239.3339

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